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PTO/SB/01 (10-00)

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<b>DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>  <input type="checkbox"/> Declaration Submitted with Initial Filing <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required)	Attorney Docket Number		DEP5043		
	First Named Inventor		Gary Fenton, et al		
	<i>COMPLETE IF KNOWN</i>				
	Application Number		10/587,733		
	Filing Date		July 27, 2006		
	Group Art Unit		3733		
		Examiner Name		To be determined	

**As a below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.  
 I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

An Instrument for Positioning a Cup Component of an Orthopaedic Joint Prosthesis  
*(Title of the Invention)*

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 02/03/2004 as United States Application Number or PCT International Application Number PCT/GB04/000405 and was amended on (MM/DD/YYYY) [ ]

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
0302409.8 GB04/000405	GB PCT	02/03/2003 02/03/2004	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

<input type="checkbox"/> Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.				

DECLARATION - Utility or Design Patent Application		
I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.		
Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:		
Application Serial No.	Filing Date	Status
		Patented Patented Patented
I hereby appoint:		
<input checked="" type="checkbox"/> Practitioners at Customer Number <b>000027777</b> -		Place Customer Number Bar Code Label Here
AND		
<input type="checkbox"/> Practitioner(s) named below: Name _____ Registration Number _____		
as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.		
Address all telephone calls to Brian S. Tomko at telephone number (732) 524-1239.		
Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number <b>000027777</b> OR <input type="checkbox"/> Correspondence address below		
Name:		
Address:		
Address:		
City:	State:	ZIP:
Country:	Telephone:	Fax:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Gary		Family Name or Surname Fenton	
Inventor's Signature <i>Gary Fenton</i>		Date 4 <sup>TH</sup> OCT 06	
Residence: City Huddersfield	State	Country GB	Citizenship GB
Mailing Address 66-68 Broomfield Road, Fixby			
City Huddersfield	State	ZIP HD2 2HG	Country GB
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Stefano		Family Name or Surname Alfonsi	
Inventor's Signature		Date	
Residence: City Harrogate	State	Country GB	Citizenship IT
Mailing Address 4 West Grove Road			
City Harrogate	State	ZIP HG1 2AD	Country GB
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF THIRD INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Gary		Family Name or Surname Moore	
Inventor's Signature		Date	
Residence: City Wetherby	State	Country GB	Citizenship GB
Mailing Address 74 Aire Road			
City Wetherby	State	ZIP LS22 7UE	Country GB

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Mailing Address 66-68 Broomfield Road, Fixby			
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NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Stefano		Family Name or Surname Alfonsi	
Inventor's Signature <i>Stefano Alfonsi</i>		Date 20/October/2006	
Residence: City Fort Wayne	State Indiana	Country USA	Citizenship IT
Mailing Address 8928 Connemarra Court			
City Fort Wayne	State Indiana	ZIP 46835	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
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Inventor's Signature		Date	
Residence: City Wetherby	State	Country GB	Citizenship GB
Mailing Address 74 Aire Road			
City Wetherby	State	ZIP LS22 7UE	Country GB

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Inventor's Signature		Date	
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Mailing Address 66-68 Broomfield Road, Fixby			
City Huddersfield	State	ZIP HD2 2HG	Country GB
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Inventor's Signature		Date	
Residence: City Harrogate	State	Country GB	Citizenship IT
Mailing Address 4 West Grove Road			
City Harrogate	State	ZIP HG1 2AD	Country GB
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NAME OF THIRD INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Gary		Family Name or Surname Moore	
Inventor's Signature <i>G. Moore</i>		Date 4 Oct 06.	
Residence: City Wetherby	State	Country GB	Citizenship GB
Mailing Address 74 Aire Road			
City Wetherby	State	ZIP LS22 7UE	Country GB

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF FOURTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Magnus		Family Name or Surname Flett	
Inventor's Signature <i>Magnus Flett</i>		Date 4/10/06	
Residence: City Wakefield	State	Country GB	Citizenship GB
Mailing Address 27 Hatfield View			
City Wakefield	State	ZIP WF1 3SA	Country GB